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5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISTRICT OF WASHINGTON  
7                   AT SEATTLE

8                   ALLAH, SP/C 5% N.O.I.,

Case No. C17-421-RAJ

9                   Petitioner,

ORDER OF DISMISSAL

10                  v.

11                  MARSHA J. PECHMAN,

12                  Respondent.

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14                  The Court, after careful consideration of petitioner's 28 U.S.C. § 2254 petition for writ  
15                  of habeas corpus, the Report and Recommendation of the Honorable James P. Donohue, the  
16                  governing authorities and the balance of the record, does hereby find and ORDER:

17                  (1)       The Court ADOPTS the Report and Recommendation.

18                  (2)       Petitioner's proposed habeas petition, Dkt. 1, is DENIED, petitioner's motion  
19                  for leave to proceed *in forma pauperis*, Dkt. 4, is DENIED as MOOT, and this  
20                  case is DISMISSED with prejudice.

21                  (3)       In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the  
22                  United States District Courts, a certificate of appealability is DENIED with respect to the  
23                  Court's determination that petitioner's habeas petition is a second or successive petition.

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ORDER OF DISMISSAL

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1 (4) The Clerk shall send copies of this Order to the parties and to Judge Donohue.  
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3 DATED this 12th day of May, 2017.  
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8 The Honorable Richard A. Jones  
9 United States District Judge  
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